## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI NORTHERN DIVISION

UNITED STATES OF AMERICA, :

:

Plaintiff,

Civil Action No.

v. : 3:16-CV-622-CWR-FKB

.

STATE OF MISSISSIPPI,

.

Defendant.

## **STIPULATION**

The United States can communicate with current chancery court judges ex parte in this matter. A chancery court judge is not required to participate in any ex parte communication and may seek legal counsel, including, according to the State, counsel from the Mississippi Attorney General's Office. The United States will not seek to admit a statement that a chancery judge makes as an exception to the hearsay rule as an opposing party statement within the meaning of Fed. Rule of Evidence 801(d)(2)(D). Further, statements of the chancery court judges cannot be imputed to the State in this matter.

Dated August 24, 2018

Signed,

## PHELPS DUNBAR LLP

BY: \_\_/s/ James W. Shelson\_

Reuben Anderson, MB 1587 Thomas Siler, MB 6791 James W. Shelson, MB 9693 Nick Morisani, MB 104970 4270 I-55 North Jackson, Mississippi 39211-6391 Post Office Box 16114 Jackson, Mississippi 39236-6114

Telephone: 601-352-2300 Telecopier: 601-360-9777

Email: reuben.anderson@phelps.com tommy.siler@phelps.com jim.shelson@phelps.com nicholas.morisani.@phelps.com Dated: August 24, 2018

D. MICHAEL HURST, JR. United States Attorney Southern District of Mississippi

MITZI DEASE PAIGE [MS BAR 6014] CANDACE MAYBERRY Assistant United States Attorneys 501 E. Court Street, Suite 4.430 Jackson, MS 39201 Telephone: (601) 973-2840 mitzi.paige@usdoj.gov

candace.mayberry@usdoj.gov

JOHN M. GORE Acting Assistant Attorney General Civil Rights Division

STEVEN H. ROSENBAUM Chief Special Litigation Section

REGAN RUSH Deputy Chief Special Litigation Section

/s/ Mathew Schutzer\_

MATHEW SCHUTZER
DEENA FOX
PATRICK HOLKINS
ASHLEY MCDONALD
C. ADRIENNE MALLINSON
Trial Attorneys
Special Litigation Section
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W. - PHB
Washington, DC 20530
Telephone: (202) 616-3179
Mathew.Schutzer@usdoj.gov